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Agenda item 75

Oceans and the law of the sea

**Note verbale dated 2 January 2013 from the Permanent Mission of
the United States of America to the United Nations addressed to
the Secretary-General**

The United States Mission to the United Nations presents its compliments to the Secretary-General and has the honour to submit the enclosed document (see annex). Pursuant to General Assembly resolution 65/37 B of 4 April 2011, a workshop was held in Miami, United States of America, from 13 to 15 November, under the auspices of the United Nations, in support of the first phase of the first assessment cycle of the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects (the "workshop"). The attached summary of the workshop, also prepared under United Nations auspices, is a useful synopsis, and the United States therefore requests that the present letter and the annex thereto be circulated as a document of the General Assembly, under agenda item 75.



**Annex to the note verbale dated 2 January 2013 from the
Permanent Mission of the United States of America to the
United Nations addressed to the Secretary-General**

**Final report of the fourth workshop held under the auspices of the
United Nations in support of the Regular Process for Global
Reporting and Assessment of the State of the Marine Environment,
including Socioeconomic Aspects**

Miami, United States of America, 13-15 November 2012

I. Report overview

1. The present report focuses on critical information for the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects, and the Group of Experts as they develop the Wider Caribbean region component of the first global integrated marine assessment (hereafter referred to as the world ocean assessment). It specifically highlights workshop findings related to Wider Caribbean region information gaps, capacity needs for marine assessments in the region, suggestions for development of the world ocean assessment, and next steps in the production of the assessment. These insights were synthesized from the presentations, breakout group discussions and concluding session of the workshop. The annexes to the report provide other details of the workshop and its outcomes, including the agenda, list of participants, summaries of the presentations, and breakout group results.¹ The breakout group results provide an inventory of environmental and socioeconomic marine assessments, including specific sources of information and experts relevant to both the Wider Caribbean region and parts III-VI of the world ocean assessment outline.

II. Background: objectives, history and participants

2. Following the recommendations made at the meeting of the Ad Hoc Working Group of the Whole on the Regular Process in June 2011, and endorsed by the General Assembly in its resolution 66/231 of 24 December 2011, the workshop was held for the Wider Caribbean region from 13 to 15 November 2012 in Miami, United States of America, under the auspices of the United Nations in support of the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects.

3. The objectives of the workshop were to:

- Enhance dialogue between marine experts within Governments, international government organizations and regional initiatives
- Develop an inventory of environmental and socioeconomic marine assessments

¹ All annexes to the present report can be found on the workshop website (<http://www.woawcr.org>) and on the website of the Regular Process secretariat (http://www.un.org/Depts/los/global_reporting/global_reporting.htm).

- Consider the linkages among assessments, including driving factors and the state of the marine environment
 - Identify marine assessment capacity-building needs and consider means to address those needs.
4. The Government of the United States of America, with the technical and financial support of the United Nations Environment Programme, the secretariat for the Cartagena Convention and the Intergovernmental Oceanographic Commission Sub-Commission for the Caribbean and Adjacent Regions (IOCARIBE), hosted the workshop.
 5. The workshop was facilitated by Co-Chairs Bonnie Ponwith (United States National Oceanic and Atmospheric Administration (NOAA)) and Lorna Inniss (Joint Coordinator of the Group of Experts). Participants (see annex A) included experts from 25 countries within the Wider Caribbean region, experts from countries outside the region, many local, regional and international organizations, and five members of the Group of Experts: Patricio Bernal (Chile), Sean Green (Jamaica), Lorna Inniss (Barbados), Enrique Marschoff (Argentina), Andrew Rosenberg (United States of America) and Renison Ruwa (Kenya).

III. Conduct of the workshop

6. The workshop was conducted in accordance with the agenda (see annex B).
7. A series of presentations were provided on the first day to explain the world ocean assessment and to set the context of its Wider Caribbean region component. Summaries of the presentations and the ensuing discussions are provided in annex C.
8. The second day was devoted to the breakout groups in which participants self-selected into four groups in line with the four major sections of the world ocean assessment: biophysical (part III, chaps. 4-7); food security and food safety (part IV, chaps. 10-15); socioeconomics (part III, chaps. 3 and 8, and part V, chaps. 17-30); and marine biological diversity (part VI, chaps. 34-43). The breakout groups were conducted according to the guidance developed to ensure comparable outcomes that reflected the objectives of the workshop (see annex D).
9. During the third day, the breakout groups presented the highlights of their discussions (these highlights and the specific details of the breakout group discussions are included in annexes E-H). Following these presentations, Co-Chair Lorna Inniss provided a recap of the means by which the participants should engage further in the conduct of the world ocean assessment and highlighted the achievements of the workshop. Ambassador Donatus Keith St. Aimee (Co-Chair of the Ad Hoc Working Group of the Whole on the Regular Process) closed the workshop. Participants were asked to fill out an evaluation of the workshop (see annex I) to inform the lessons learned document produced as a courtesy for future workshop hosts (see annex J).

IV. Wider Caribbean region information gaps

10. Numerous information gaps were identified throughout the presentations and discussions, breakout groups and closing discussion, including the following:

- Standardized protocols and methods across the region for comparability. The Group on Earth Observations was recommended as a source of insight into comparable approaches and methods
- Improved national and regional data analyses abilities. Too often, the limitation is not research, but the capacity to store and analyse existing data. There is a wealth of raw data in the region, as well as outside the region to be repatriated, awaiting analysis
- Greater exchange and sharing of information to support regional policymaking. Protocols need to be established for information-sharing. The articles in the Cartagena Convention provide relevant guidance
- Integration of research and collaboration among different areas of the region. There is a particular need for regional-level socioeconomic syntheses, since socioeconomic studies are often site-specific
- A dynamic, living atlas of the Wider Caribbean region marine environment. Such an atlas could provide a foundation for an international Wider Caribbean region network to share ideas, data, tools, strategies and deliverables to improve utilization of Wider Caribbean region data for research and operational applications. The challenge is not the production of individual data products, but the generation of harmonized data sets to maximize the impact and benefit for scientific analyses and syntheses. The Global Ocean Observing System Regional Alliance for the IOCARIBE region (IOCARIBE-GOOS) is a potential mechanism for such an atlas. The Caribbean Marine Atlas project of the Intergovernmental Oceanographic Commission represents a first step in this process
- Reliable, consistent monitoring programmes that continue beyond the initial assessments
- Ensuring increased access to, and affordability of, the most advanced technology and tools while also ensuring cost-effectiveness. It is not uncommon for huge investments to go into high-tech equipment that is too expensive to maintain when a more economical version would have sufficed
- Improved access to scientific literature
- Science-to-policy approaches to ensure that research informs decision-making. Research needs to be planned and designed to meet management needs by engaging decision makers in design as well as implementation. The critical scientific needs of the region need to be articulated
- Improved science communication and integration. There is a great deal of data and information; however, they are not always readily available or synthesized in a usable form. An important amount of information is not published (grey literature) or exists only as internal reports of the public or private sector. Scientific results need to be synthesized and culled to identify key coherent messages relevant to management and policy agendas

- Scientific results need to be translated from "academic-speak", communicated in relevant, useful, understandable and accessible forms and then communicated in the appropriate forums and along the relevant policy timelines. Communication strategies need to be appropriate to the knowledge demands of varying publics, which range from political to civil society organizations and communities
 - A collective regional institution or institutional arrangements to facilitate a solid science foundation to the decision-making processes at the regional and national levels. This requires an institution capable of providing regular information on the biophysical and socioeconomic conditions in the Wider Caribbean region. As noted above with regard to the atlas concept, initiatives such as IOCARIBE-GOOS are intended to provide such regular information services
 - Awareness efforts that promote the benefits that people receive from the oceans to engender stewardship. Too often, scientists, policymakers and conservationists highlight the negative aspects of the marine environment (e.g., hurricanes and shoreline erosion)
 - Political will and leadership at all levels
 - Improved inter-agency cooperation (e.g., establish memoranda of understanding and data-sharing protocols) both within and between countries
 - More engaged non-traditional stakeholders (i.e., the private sector, schools and community groups) and simplified reporting frameworks (e.g., agree on information-sharing protocols to support decision-making)
 - Greater national inputs to reports on the state of the Cartagena Convention (notably the reporting templates of the Protocol concerning Pollution from Land-based Sources and Activities)
 - Improved documentation of institutional knowledge
 - More financing for monitoring and assessments.
11. On the basis of the presentations and discussions, the following topics were identified as needing further study in the Wider Caribbean region:
- Ecosystem service and socioeconomic assessments, including studies of economic, social, linguistic and cultural diversity in the region
 - Offshore and deep-sea studies
 - Analyses of impacts of watershed activities on marine resources
 - Studies in less-developed countries.
12. The breakout group tables (see annexes E-H) define information gaps for each chapter of the world ocean assessment outline.

V. Capacity needs for marine assessments in the Wider Caribbean region

13. Drawing on the presentations, discussions and breakout group discussions, participants made the following observations regarding capacity needs and measures to address those needs for the Wider Caribbean region:

- Previous or ongoing regional marine assessments, specifically the Caribbean Coastal Marine Productivity Programme, the Caribbean Planning for Adaptation to Climate Change project and the Caribbean Large Marine Ecosystem Project, were highlighted as success cases for capacity-building
- In some disciplines, such as physical oceanography and remote sensing of the ocean environment, capacity is highly aggregated in a few institutions. In other disciplines, such as social sciences, it is highly dispersed
- Access to research vessels (e.g., NOAA ships) and ships of opportunity (e.g., those used in relation to the Living Oceans Foundation) offer opportunities and synergies on a wider scale with technological advances for enhanced marine assessments
- There is often an abundance of data, including those collected by ships of opportunity; the limitation, then, is in the capacity to manage the data, including how to organize, store, synthesize and analyse them. Participants discussed the need for nationals to study at institutions where data are already being used and then to bring home the expertise
- Building collaboration among scientists, resource managers and other stakeholders is central to capacity-building, especially as it includes building a willingness to share and communicate. With this need in mind, networks of practitioners, experts, institutions and countries need to be established and fostered and regional programmes promoted
- There is a fundamental need to increase capacity to integrate the key insights of existing research into policy and management agendas
- There is a critical need to retain the knowledge that is invested in training employees and management leadership. This requires fiscal incentives to retain individuals in positions. The constant cycle of promotion at all levels results in an export of knowledge out of the field. Often, the bulk of expert individuals will be lost from policy and management to narrow academic research fields.

VI. Suggestions for development of the world ocean assessment

14. During the presentations and discussions, the participants noted that the world ocean assessment might be a first step in a renewed effort to mobilize institutions and experts of the region to enhance cooperative work and to find synergies. The world ocean assessment also represents an opportunity to bring experts together as they contribute to the working papers on the different topics. This initiative can, therefore, help to produce the needed information to address the common problems due to the increased use of the ocean and its resources, and to prepare the Wider Caribbean region to adapt to the impact of global climate change.

15. Participants identified the following topics, which need to be better reflected in the world ocean assessment outline:

- Ocean governance: highlighting the state of governance is fundamental to ensuring that the world ocean assessment leads to policy change
- Ocean acidification
- Analysis of reference points
- Analysis of biological, social and economic impacts of alternative policies (e.g., cost of pollution in terms of use and non-use values)
- Plausible future scenarios
- Watersheds where land activities influence coastal environments
- Climate change
- Gender
- Poor and vulnerable communities.

16. The participants also made the following suggestions regarding the approach, structure and methods of the world ocean assessment:

- A comprehensive strategy is needed for communicating and disseminating results and influencing policy
- Engage Governments and other stakeholders throughout the drafting of the Wider Caribbean region component of the world ocean assessment to ensure that the analyses provide information that will be useful to decision makers. With that in mind, the analyses need to be upstream and demand-driven (country-driven) to ensure that there is ownership and buy-in of outputs and follow-up. Engagement will also foster buy-in and ultimately help to ensure that policymakers integrate the findings into regional and national policies
- Clarify what is unique about the world ocean assessment compared with other meta assessments and processes, past, present and future
- Clarify how the structure relates to drivers-pressures-state-impact-response
- Clarify to what extent the world ocean assessment will be quantitative
- Clarify how reference points/baselines will be calculated
- Be transparent regarding choice of methods, data sources and assumptions
- Consider that global and regional economic values will not have much impact and will be difficult to track for trends and, instead, consider calculating local values, which are useful for policy and management agendas.

VII. Next steps in the production of the world ocean assessment

17. The results of the workshop will be shared with the Group of Experts to inform the drafting of the Wider Caribbean region component of the world ocean assessment. The assessment timeline includes the following key steps:

- Further nominations by States to the Pool of Experts
- Approval of the guidance to contributors
- Preparation of working papers for each chapter (fall 2012-fall 2013)
- Preparation of draft chapters based on working papers (October 2013-March 2014)
- Production of the first draft of the first world ocean assessment (April-May 2014)
- Peer review and review process (June-August 2014)
- Final draft (September 2014)
- Submission to the Ad Hoc Working Group of the Whole on the Regular Process (December 2014)
- Publication (February 2015).

18. Workshop participants were aware that the process of holding the workshop would also inform the conduct of other workshops. The upcoming workshops are: the western Indian Ocean (Maputo, December 2012), the south-west Pacific (Brisbane, Australia, February 2013), the South Atlantic (city to be determined), and the northern Indian Ocean, Arabian Sea, Red Sea and Gulf of Aden (city to be determined). All countries will receive notice of all Regular Process workshops through invitations issued through their missions to the United Nations.

19. Participants were asked to send any additional sources of information and names of experts to Kareem Sabir (ksabir@coastal.gov.bb) for inclusion in the present report. Participants were also encouraged to join the Pool of Experts and, if selected by the Group of Experts, to engage in drafting the Wider Caribbean region component of the world ocean assessment.





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Agenda item 45

Question of the Falkland Islands (Malvinas)

**Letter dated 3 January 2013 from the Permanent Representative
of Argentina to the United Nations addressed to the
Secretary-General**

On instructions from my Government, I have the honour to transmit herewith (see annex) a copy of the letter addressed by the President of the Argentine Republic, Ms. Cristina Fernández de Kirchner, to the British Prime Minister, Mr. David Cameron, on the occasion of the 180th anniversary of the illegitimate occupation of the Malvinas Islands by the United Kingdom of Great Britain and Northern Ireland on 3 January 1833.

I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly under agenda item 45, concerning the question of the Malvinas Islands.

(Signed) María Cristina Perceval
Ambassador



Annex to the letter dated 3 January 2013 from the Permanent Representative of Argentina to the United Nations addressed to the Secretary-General

Buenos Aires, 3 January 2013

On this date, 3 January, 180 years ago, in a blatant exercise of nineteenth-century colonialism, Argentina was forcibly dispossessed of the Malvinas Islands, which are situated 14,000 km (8,700 miles) from London.

The Argentines on the Islands were expelled by the British Royal Navy and the United Kingdom subsequently began a process of importing settlers similar to that used in other territories under colonial rule.

Since then, the United Kingdom, the colonial Power, has refused to return the territories to the Argentine Republic, thus preventing it from restoring its territorial integrity.

The question of the Malvinas Islands is also a cause supported by Latin America and by the vast majority of the world's peoples and Governments, which reject colonialism.

In 1960, the United Nations proclaimed the necessity of bringing to an end everywhere colonialism in all its forms. In 1965, the General Assembly decided, with no votes against (not even by the United Kingdom), to consider the Malvinas Islands a case of colonialism and invited the two countries to negotiate a solution to the sovereignty dispute between them.

Many other resolutions followed in the same vein.

On behalf of the Argentine people, I reiterate our request that we give effect to the aforementioned resolutions of the United Nations.

(Signed) **Cristina Fernández de Kirchner**
President of the Argentine Republic



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Security Council**

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Agenda items 30 and 118**

**Security Council
Sixty-seventh year**

Report of the Security Council

Strengthening of the United Nations system

**Letter dated 17 December 2012 from the Permanent
Representative of Portugal to the United Nations addressed
to the Secretary-General**

I have the honour to convey to you herewith the statement I delivered at the open briefing by the Chair of the Informal Working Group of the Security Council on Documentation and Other Procedural Questions held on Friday, 14 December 2012 (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda items 30 and 118, and of the Security Council.

(Signed) José Filipe **Moraes Cabral**
Ambassador



Annex

Briefing on the work of the Informal Working Group of the Security Council on Documentation and Other Procedural Questions

Ambassador José Filipe Moraes Cabral
Chairman of the Informal Working Group
14 December 2012

It is a particular pleasure for me to brief you on the work of the Informal Working Group on Documentation and Other Procedural Questions, which I have had the honour to chair since January of this year.

Chairing a working group, more than helping build consensus, which is always necessary, is also trying to develop an agenda and acting as a catalyst for the efforts of its members towards achieving major common shared goals.

The Working Group on working methods is a particularly interesting case, in which Council members can share their views on ways to improve the Council's working methods and have the opportunity to make a difference, with future implications on the way the Council functions.

It is never easy to get away from routine, which is always more comfortable than change. So, it is always a difficult task to generate interest on new measures, discuss their usefulness and practicability and, eventually, adopt them. More difficult is, ultimately, to persuade all of the need to change. I must say that the experience I had was very positive. I counted on the active contribution of all members in the many discussions we held during this last year, at a pace of one, or sometimes two meetings per month.

To improve the working methods, you have to start by improving the way the Council does its internal work. A significant part of the Council's work is still done in consultations. While there has been an effort by the Council to meet more often in public — an increasingly established trend which highlights the role Council presidencies can play when preparing the programmes of work — consultations indeed remain useful. Informal settings are always necessary to help swiftly prepare decisions. However, questions of transparency and inclusiveness remain important within the Council for all Council members involved in the decision-making.

This is why we looked into these issues in the Working Group during the first part of the year.

Following consultations organized by the Council in March of this year, during the presidency of the United Kingdom of Great Britain and Northern Ireland, a discussion was held on further measures to improve interactivity in consultation, better planning of work and better use of conference resources. Those same aspects were further developed in the Working Group and, later on, condensed in the note by the President of the Security Council of 5 June (S/2012/402). The underlying idea is to stress the informality aspects of consultations, better organization of resources to allow more space for subsidiary bodies to meet, more use of videoconferences to avoid the costly presence of briefers, better planning of work by readjusting mandates and reporting cycles with a view to evening up the

workload throughout the year and leaving more time for the Council to prepare decisions and for prevention activities.

Prevention is, indeed, a key aspect for the Council in performing its role under the Charter of the United Nations. Horizon-scanning meetings can be very useful in this regard, by helping the Council to enhance awareness on situations with potential to develop into conflicts.

Last year, several presidencies included such meetings in the programme of work. They can indeed be important opportunities for Council members to exchange views with the Secretariat on new developments in different situations and regions of the world, with deterrence potential, and to help in solving conflicts at an early stage. In my view, these informal meetings, which provide prompt information and allow space for the Council to act preventively, are always helpful.

Horizon-scanning meetings were also discussed in the Working Group this year, but further reflection seems to be necessary on this issue to allow the "horizon scanning" concept to be perfected and thus help dissipate existing reservations to a tool that has the potential to be truly relevant in what prevention is concerned.

Also related to the internal aspects of the Council's work and following the note adopted in June (S/2012/402), practical measures were explored within the Working Group to spread the Council's workload more evenly throughout the year by adjusting, where appropriate, mandate renewal periods, as well as by aligning reporting requirements.

As Chair of the Working Group, I submitted my own recommendations to the Council in July, bearing on the discussions held in the Working Group, aimed at assisting Council members, when preparing decisions on mandate renewals and reporting deadlines, to better plan future Council work.

This is a work always in progress, relying in particular on the initiative of pen holders and on the awareness and input of Council members when drafting decisions to extend mandates and requesting reports. The document regularly updated by the Secretariat and available on the Council's web page on mandates and reporting cycles provides very useful information to that effect, allowing a better overview of the projected workload and of the possible options for its more even distribution throughout the year. We expect and encourage Council members to use this tool when drafting future resolutions.

Pen holders are the Council members who initiate and chair the informal drafting process. Pen holders have an important role to facilitate timely initiatives to ensure Council action, as well as in the exchange of information among Council members. They help preserve continuity in the consideration of issues in the Council, thus enhancing the efficiency of the Council's work. The way they conduct their work is crucial for an informed and transparent decision process and, ultimately, for the efficiency of the Council. The Working Group is continuing the consideration of this matter through a draft note.

The Working Group also focused on the process of appointment of the Chairs of the subsidiary bodies in order to devise ways of enhancing transparency and inclusiveness and facilitate the exchange of information among Council members as well as newly elected members. Following a thorough consideration of this issue by the Working Group, a note by the President of the Security Council was adopted in

December (S/2012/937), by which Council members indicated their support for an informal process with the participation of all members to appoint the Chairs from among Council members in a balanced, transparent, efficient and inclusive way, which facilitates an exchange of information related to the work of the subsidiary bodies involved. To this end, Council members should also consult informally with the newly elected members soon after their election on the appointment of the Chairs for the ensuing year.

In connection with the transparency aspects, I would like to highlight the outstanding work of the Secretariat, always supported and encouraged by the Working Group, in making more information available on the web, including on mandates and reporting cycles, which I alluded to, and the analytical and statistical overview of the Council over the past year, which are indeed very important contributions to help in understanding the Council's work, and the new trends and developments in the area of international peace and security.

Following collaboration between the Department of Political Affairs, Security Council Affairs Division, and the Department of Public Information, Web Services Section, a redesigned website for the Security Council was launched on 4 October. The new website, which is available in all six official languages and accessible to persons with disabilities, features an improved user-friendly layout and additional content.

As well as providing the latest news from the Security Council and its President, the site offers quick and easy access to the most recent Security Council resolutions, presidential statements and press releases. Records of Security Council meetings, past and present, and details on the Council's subsidiary bodies can also be found on the new website.

The website also provides information on the work of the Security Council Affairs Division and highlights the substantive and logistical support provided to the Security Council and its subsidiary bodies, as well as information on the research and guidance role played by the Division. In addition, the *Repertoire of the Practice of the Security Council*, also available in all six languages, has also been fully integrated into the recently overhauled Security Council website.

The site is an ideal tool for Member States, staff members and any other visitors who wish to know more about the workings of the Security Council. A new section on frequently asked questions contains practical information regarding the composition of the Security Council, its mandate and its functions and powers.

As Chair of the Working Group, I commend the efforts of the Secretariat in preparing this new set of informative tools, as well as of the new capacities offered by the Council's web page, which I invite all interested delegations to access and navigate through.

On the external aspects of the Security Council's work, the Working Group is considering further measures to improve transparency and interaction with the wider membership. A note by the President (S/2012/922) was adopted on ways to improve open debates, the annual report, monthly assessments and informal briefings sessions on the monthly work.

On open debates, it was recognized that they can benefit both from the contributions of Council members and from the wider membership. With this in

mind, the date of the open debate should be announced with sufficient time to allow for adequate preparation by all participants. To enhance interactivity, the possibility of inviting non-members to alternate their interventions with those of Council members is now envisaged.

Also, where appropriate for certain open debates, the adoption of an outcome might occur on a date subsequent to that of the open debate in order to allow it to more fully reflect matters raised during the debate. Also, measures to enhance the efficiency of open debates were adopted by encouraging all participants, members and non-members of the Security Council alike to be succinct and focused in their interventions, which, whenever possible, should not exceed five minutes (with the option of distributing a more detailed written statement).

Concerning the annual report to the General Assembly (and further to the measures contained in the note by the President of the Security Council of 26 July 2010 (S/2010/507)), the new note acknowledges that presidencies in charge of preparing the draft introduction to the report may consider organizing interactive informal exchanges of views with the wider membership prior to the adoption of the report.

Also, as a new measure, members of the Security Council encourage the Presidents in charge of the presentation of the report to the General Assembly to report to Council members on relevant suggestions and observations raised at the General Assembly debate on the annual report.

Overall, the note encourages continuing efforts to ensure the inclusion in the report of more substantive information on the Council's work and on measures to improve the working methods.

The note reiterates also that the report will continue to be adopted at a public meeting of the Security Council, where members of the Council who wish to do so may comment on the work of the Council for the period covered by the report, something that was already foreseen in document S/2010/507 but was never done.

Finally, the note recognizes the usefulness of the monthly assessments by Security Council Presidents in providing as much information as possible on the main aspects of the work of the Council during that month and their submission soon after the end of their respective presidencies.

Presidents are encouraged to hold informal briefing sessions with the wider membership on the work of the Council at the end of the respective presidencies, in the same way they are now held at the start to present the programme of work.

Formal wrap-up sessions were also acknowledged as possible formats to be used to that effect.

These are some of the aspects that have been discussed in the Working Group this year and agreed through the note recently adopted. We now hope that the Council, with the help of the Secretariat, starts implementing all these new measures in a way that translates into a more transparent, interactive and efficient practice.

I am conscious that improving the working methods is an ongoing task. The Council has done much in recent years on this matter as a result of the Council members' efforts and especially those of the previous Chairs of this Working Group (Japan, Panama, Slovakia and Bosnia and Herzegovina), whom I salute, which

resulted in the adoption of document S/2010/507. But we all know that there is always room for improvement and that the note is the point of departure, not an end in itself.

On the other side, the support and stimulus of the wider membership is essential to the work of the Working Group. This is why I promoted, early this year, a very useful exchange of views of members of the Working Group with the "Small Five Group" (Costa Rica, Jordan, Liechtenstein, Singapore and Switzerland), where we could discuss many of the proposals put forward by this Group.

Also very important in my view are the open debates on working methods. Now organized on an annual basis, they are excellent opportunities to gather relevant input on this matter from Council members and the wider membership.

Early this year, the Working Group organized a meeting to follow up on the input received at the previous open debate that we organized during our presidency in November 2011. A list of proposals put forward at the debate was prepared and served as a good basis for the current work of the Working Group.

One year after, thanks to the Indian presidency, another open debate was organized. I found this debate very useful. Many proposals put forward provided important food for thought to the Council's future work. Such debates are invaluable, as they stimulate Council members to work towards further improvements and to increase the awareness necessary for the full implementation of document S/2010/507.

Last Wednesday we held the last Working Group meeting under my chairmanship, as Portugal will leave the Council in January 2013. We opted to conclude this full year's work in the Working Group by looking at the future, through the follow-up to the open debate we held last month.

After all the work done, this last meeting helped put things in the right perspective: on Council working methods there is always room for improvement. Surely, the ideas collected in the open debate with the wider membership gave Council members plenty to consider in the year to come.

I wish the next Chair of the Working Group all the best. We, on our part, will continue, as we have always done, to support this agenda and all efforts in the Security Council to promote transparency, interaction and efficacy.

In conclusion, over this past year the Working Group met 15 times and adopted three notes by the President, covering issues related to the internal and external aspects of the Council's work (interactivity, conference resources, process of appointment of the Chairs of the subsidiary bodies, open debates, annual report, monthly assessments and briefings by the Presidents of the Council). It continued to open up to the outside by exchanging views with the "Small Five Group" and focusing on the follow-up to the annual open debates on working methods. But it is never enough. I am sure the work will continue with a renewed energy next year.

Finally, I wish to express my gratitude to many of you for your support and encouragement to the work of the Working Group to improve the working methods. I thank you.

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Measures to eliminate international terrorism

Security Council
Sixty-eighth year

**Identical letters dated 7 January 2013 from the Permanent
Representative of the Syrian Arab Republic to the United Nations
addressed to the Secretary-General and the President of the
Security Council**

On instructions from the Government of the Syrian Arab Republic, I should like to draw your attention to the following information:

In an earlier letter concerning the events in the Syrian Arab Republic, we informed you that certain neighbouring States are playing a destructive role by provoking violence and supporting armed terrorist groups. I should now like to inform you that those groups recently plundered some 1,000 factories belonging to industrialists in Aleppo and then transferred the stolen goods to Turkey, with the full knowledge of the Turkish Government.

The Syrian Arab Republic affirms that this illegal act, which the Turkish Government was aware of and facilitated, is tantamount to an act of piracy against the Syrian people's livelihoods and their economy. It demonstrates yet again Turkey's ambitious designs, its destructive role in the Syrian crisis and its ill will towards the Syrian people. It also confirms the falsehood of Turkey's claims of concern for the lives and essential needs of the Syrian people.

Syria would like to point out that these unethical acts, which are a flagrant violation of the principles of good neighbourliness and non-interference in States' internal affairs, are tantamount to direct participation in transnational crime and piracy. They require an international response commensurate with the great harm caused to the Syrian people and their economic and commercial assets.

When a neighbouring State such as Turkey supports terrorism, assists in the transnational plunder of Syrian resources and the destruction of the Syrian people's assets and sources of livelihood, and facilitates the use of those resources to support terrorism in Syria, the Security Council must respond in a manner that is on a par with its responsibilities and its commitment to combat terrorism and maintain international security and peace.



In view of the foregoing, the Syrian Arab Republic calls on the Security Council and the Secretary-General to condemn clearly these destructive acts of terrorism and do what is required to hold accountable their perpetrators, as well as those States and regional and international Powers that stand behind them. Such a condemnation would show that the United Nations rejects any further efforts on the part of States hostile to Syria to aggravate the living conditions and the humanitarian suffering of the Syrian people. It calls on them to take all necessary legal measures to compel the Turkish Government to return the stolen property to its owners and compensate fully those who have been harmed, in accordance with the relevant provisions of international law, and to require the Turkish Government to desist immediately from engaging in such conduct and to refrain from doing so in the future.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 105, and of the Security Council.

(Signed) **Bashar Ja'afari**
Ambassador
Permanent Representative



General Assembly

Distr.: General
16 January 2013
English
Original: Arabic

Sixty-seventh session

Agenda item 75 (a)

Oceans and the law of the sea: oceans and the law of the sea

Letter dated 8 January 2013 from the Permanent Representatives of Kuwait and Saudi Arabia to the United Nations addressed to the Secretary-General

The Permanent Missions of the State of Kuwait and the Kingdom of Saudi Arabia to the United Nations present their compliments to the United Nations Secretary-General and have the honour to inform him that Iranian military launches have repeatedly violated and encroached upon the waters of the submerged area that is adjacent to the divided submerged area over which only Kuwait and Saudi Arabia have exclusive sovereign rights. In the most recent of those encroachments, which took place on at 1710 hours on Wednesday, 8 Dhu'l-hijjah A.H. 1433 (24 October A.D. 2012) three armed Iranian vessels approached the AD-30 drilling rig in the Durrah field and stopped alongside the handling vessel *Shark 30*. Such actions could lead to confrontations that could threaten security and peace in the region.

It is well known that only Kuwait and Saudi Arabia have exclusive sovereign rights to explore and exploit hydrocarbon resources in the Durrah field and the divided submerged area.

With a view to protecting their interests, ensuring respect for their rights in the region and upholding regional stability and security, the Governments of Kuwait and Saudi Arabia have repeatedly protested about and expressed their strong displeasure with regard to these continual violations and encroachments and demanded that the Government of the Islamic Republic of Iran should cease such acts.

The Governments of Kuwait and Saudi Arabia have requested the Government of Iran to inaugurate negotiations between, on the one hand, the Governments of Kuwait and Saudi Arabia and, on the other hand, the Government of Iran, in order to delimit, in accordance with the provisions of international law, the maritime borders that separate the waters of the divided submerged area from Iranian territorial waters. However, the Governments of Kuwait and Saudi Arabia have received no response from the Government of Iran to their repeated calls for negotiations.



The Permanent Missions of the State of Kuwait and the Kingdom of Saudi Arabia to the United Nations would be grateful if you would have this letter circulated as an official document of the seventy-sixth session of the General Assembly, under agenda item 75 (a), Oceans and the law of the sea.

(Signed) Mansour Ayyad **Alotaibi**
Permanent Representative of Kuwait
to the United Nations

(Signed) Abdallah Yahya A. **Al-Mouallimi**
Permanent Representative of Saudi Arabia
to the United Nations



**General Assembly
Security Council**

Distr.: General
17 January 2013

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**General Assembly
Sixty-seventh session
Agenda items 33 and 34**

**Security Council
Sixty-eighth year**

Prevention of armed conflict

**Protracted conflicts in the GUAM area and
their implications for international peace,
security and development**

**Letter dated 11 January 2013 from the Permanent Representative of
Armenia to the United Nations addressed to the Secretary-General**

Upon instructions from my Government, I have the honour to draw your attention to the ongoing violations of the ceasefire by the armed forces of the Republic of Azerbaijan recorded for the month of December 2012 and consolidated data on the mentioned violations for year 2012 (see annexes).

I should be grateful if you would circulate the present letter and its annexes as a document of the General Assembly, under agenda items 33 and 34, and of the Security Council.

(Signed) **Garen Nazarian**
Ambassador
Permanent Representative



Annex I to the letter dated 11 January 2013 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

Violations of the ceasefire by the armed forces of the Republic of Azerbaijan, 1-31 December 2012

1. On the borderline of the Nagorno Karabakh Republic:
Total number of violations — 982
Total number of shots ~ 4,255
AK ~ 3,263, PK ~ 601, SVD ~ 352, RPK ~ 29, Black Arrow ~ 3, Istiglal ~ 7
2. On the borderline of the Republic of Armenia (see table below):
Total number of violations — 83
Total number of shots ~ 800
AK ~ 529, PK ~ 169, SVD ~ 76, DSHK ~ 24, Black Arrow ~ 2

No.	Date	Direction	Time	Type of weapon	Ammunition	Results of violations
1.	1 December	Eraskh	14.00	SVD	1	At 14.00 serviceman of the Armenian Armed Forces Gegham Ayvazyan was wounded by the fire of the Azerbaijani side from a distance of 250 metres from village Eraskh at the borderline in combat outpost
2.		Berqaber	22.15	AK	6	
3.	4 December	N. Karmiraghbyur	11.00	AK	2	
4.			11.15	AK	3	
5.		Chinari	11.20	SVD	2	
6.		Kayanavan	21.21	PK	3	
7.	5 December	Barekamavan	11.30	SVD	2	At 16.10 serviceman of the Armenian Armed forces Gor Khachatryan was wounded by the fire of the Azerbaijani side from a distance of 1,000 metres from village Chinari at the borderline in combat outpost
8.		Vazashen	13.30	DSHK	2	
9.		Chinari	16.10	AK	1	
10.			16.30	AK	70	
11.			21.10	AK	15	
12.		Movses	21.20	AK	1	

Abbreviations: PK, Kalashnikov machine gun; SVD, 7.9 mm sniper weapon; AK, Kalashnikov rifle; DSHK, 12.7 mm machine gun; RPK, 5.45 mm machine gun; Istiglal, 14.5 mm machine gun; Black Arrow, 12.7 mm sniper weapon.

No.	Date	Direction	Time	Type of weapon	Ammunition	Results of violations
13.	6 December	Berdavan	03.00	AK	3	
14.		Movses	11.45	AK	4	
15.	7 December	Chinari	02.43	AK	4	
16.			14.10	DSHK	2	
17.			23.25	AK	3	
18.		Dovegh	17.55	PK	50	
19.	8 December	Chinari	13.30	PK	10	
20.		Movses	14.40	DSHK	20	
21.		Aygedzor	15.50	AK	5	
22.		Berdavan	16.00	AK	5	
23.		Sarigyugh	20.10	PK	10	
24.		Berqaber	20.10	AK	10	
25.	9 December	Chinari	21.30	Black Arrow	2	
26.				PK	10	
27.	10 December	Tigranashen	12.45	AK	2	
28.			22.00	AK	5	
29.			23.33- 23.37	PK	8	
30.		Chinari	13.30	AK	6	
31.				SVD	11	
32.		Koti	14.45	AK	20	
33.	11 December	Vevakavan	19.50	AK	1	
34.		N. Karmiraghbyur	21.25	AK	10	
35.			22.25	AK	7	
36.	13 December	Aygedzor	12.40	AK	1	
37.		Movses	13.50	AK	5	
38.		Tigranashen	14.40	AK	3	
39.		Chinari	15.45	SVD	10	
40.			20.50	AK	5	

No.	Date	Direction	Time	Type of weapon	Ammunition	Results of violations
41.		Baghanis	17.40	AK	20	
42.		Berdavan	21.10	AK	20	
43.	14 December	Eraskh	21.25	AK	1	
44.	16 December	Berdavan	23.30	AK	17	
45.	17 December	Berdavan	11.00	AK	5	
46.		Berqaber	22.30	AK	7	
47.	18 December	Voskepar	09.55	AK	6	
48.	19 December	Berdavan	17.35	SVD	5	
49.	20 December	Chinari	13.20	SVD	10	
50.		Berdavan	22.35	AK	5	
51.		Berdavan	23.40	AK	30	
52.	21 December	Voskepar	13.20	PK	10	
53.		Koti	20.30	AK	2	
54.	22 December	Aygepar	00.20	AK	1	
55.		Qolagir	12.00- 14.00	AK	30	
56.		Berdavan	20.15	AK	5	
57.				PK	15	
58.		Shavarshavan	20.35	AK	9	
59.		Kiranc	22.45	PK	10	
60.			23.30	PK	5	
61.	23 December	Azatamut	14.00	AK	3	
62.	24 December	Berdavan	23.00	PK	20	
63.				AK	9	
64.		Vazashen	23.20	SVD	5	
65.	25 December	Aygedzor	20.55	AK	5	
66.	26 December	Aygepar	00.05	AK	1	
67.		Berdavan	22.35	AK	20	
68.				PK	18	

No.	Date	Direction	Time	Type of weapon	Ammunition	Results of violations
69.	27 December	Chinari	19.40	SVD	1	
70.		Aygepar	22.35	AK	1	
71.	28 December	Vazashen	11.30	AK	20	
72.				AK	20	
73.		Agarak	20.10	AK	2	
74.		Aygepar	20.45	AK	2	
75.		Baghanis	20.55	AK	3	
76.	29 December	Kayan	17.00	AK	10	
77.	30 December	Aygedzor	21.10	AK	3	
78.		Berdavan	21.30	SVD	15	
79.		Vazashen	23.10	AK	15	
80.	31 December	Barekamavan	17.05	SVD	4	
81.			19.00	AK	30	
82.				SVD	10	
83.		N. Karmiraghbyur	22.20	AK	30	

Annex II to the letter dated 11 January 2013 from the Permanent Representative of Armenia to the United Nations addressed to the Secretary-General

Violations of the ceasefire by the armed forces of the Republic of Azerbaijan for the year 2012

January

On the borderline of Armenia:

Number of violations — 46

Shots ~ 320

PK ~ 73, SVD ~ 2, machine gun 12.7 mm ~ 40, AK ~ 205

On the borderline of Nagorno Karabakh:

Number of violations — 456

Shots ~ 3,820

PK ~ 451, SVD ~ 305, machine gun 12.7 mm ~ 1, sniper weapon 12.7 mm ~ 11, sniper weapon Istiglal ~ 2, RPK ~ 28, AK ~ 3,022

February

On the borderline of Armenia:

Number of violations — 61

Shots ~ 470

PK ~ 29, SVD ~ 42, sniper weapon 12.7 mm ~ 23, AK ~ 337, DSHK ~ 39

On the borderline of Nagorno Karabakh:

Number of violations — 770

Shots ~ 3,710

PK ~ 486, SVD ~ 332, AK ~ 2,826, sniper weapon 12.7 mm ~ 36, machine gun 12.7 mm ~ 30

March

On the borderline of Armenia:

Number of violations — 327

Shots ~ 2,823

PK ~ 783, SVD ~ 184, sniper weapon 12.7 mm ~ 74, AK ~ 1,665, DSHK ~ 82, RPK ~ 34, RPG ~ 1

Abbreviations: PK, Kalashnikov machine gun; SVD, 7.9 mm sniper weapon; AK, Kalashnikov rifle; DSHK, 12.7 mm machine gun; RPK, 5.45 mm machine gun; Istiglal, 14.5 mm machine gun; Black Arrow, 12.7 mm sniper weapon.

On the borderline of Nagorno Karabakh:

Number of violations — 1,112

Shots ~ 5,623

PK ~ 997, SVD ~ 451, AK ~ 4,096, sniper weapon 12.7 mm ~ 65, machine gun 12.7 mm ~ 11, RPK ~ 2, RPG ~ 1

April

On the borderline of Armenia:

Number of violations — 297

Shots ~ 5,900

PK ~ 2,235, SVD ~ 412, Sniper weapon 12.7 mm ~ 155, AK ~ 2,637, DSHK ~ 346, RPK ~ 110, NSVT ~ 5

On the borderline of Nagorno Karabakh:

Number of violations — 1,439

Shots ~ 6,983

PK ~ 784, SVD ~ 902, AK ~ 5,200, DSHK ~ 38, RPK ~ 20, sniper weapon 12.7 mm ~ 19, sniper weapon 14.5 mm ~ 16, RPG ~ 1, Utyos ~ 3

May

On the borderline of Armenia:

Number of violations — 238

Shots ~ 8,206

PK ~ 3,002, SVD ~ 323, sniper weapon 12.7 mm ~ 93, AK ~ 2,463, DSHK ~ 2,290, Istiglal ~ 15, NSVT ~ 20

On the borderline of Nagorno Karabakh:

Number of violations — 1,248

Shots ~ 5,363

PK ~ 645, SVD ~ 501, AK ~ 4,005, DSHK ~ 77, RPK ~ 72, sniper weapon 12.7 mm ~ 45, Utyos ~ 18

June

On the borderline of Armenia:

Number of violations — 495

Shots ~ 18,742

PK ~ 9,607, SVD ~ 762, Black Arrow ~ 258, AK ~ 5,868, DSHK ~ 1,965, Utyos ~ 15, NSVT ~ 30

On the borderline of Nagorno Karabakh:

Number of violations — 2,205

Shots ~ 16,053

PK ~ 2,570, SVD ~ 1,429, AK ~ 11,795, DSHK ~ 138, RPK ~ 41, Black Arrow ~ 50, Istiglal ~ 5, NSVT ~ 7, Utyos ~ 18

July

On the borderline of Armenia:

Number of violations — 274

Shots ~ 4,352

PK ~ 1,739, SVD ~ 351, Sev net ~ 127, AK ~ 1,589, RPK ~ 20, DSHK ~ 366, Utyos ~ 160

On the borderline of Nagorno Karabakh:

Number of violations — 1,200

Shots ~ 5,358

PK ~ 773, SVD ~ 560, AK ~ 3,820, DSHK ~ 81, RPK ~ 55, Black Arrow ~ 3, Istiglal ~ 61, NSVT ~ 4

August

On the borderline of Armenia:

Number of violations — 126

Shots ~ 2,567

AK ~ 694, PK ~ 1,228, SVD ~ 89, DSHK ~ 398, Black Arrow ~ 113, RPK ~ 30, Utyos ~ 15

On the borderline of Nagorno Karabakh:

Number of violations — 1,110

Shots ~ 5,137

AK ~ 3,467, PK ~ 780, SVD ~ 635, DSHK ~ 84, Black Arrow ~ 84, RPK ~ 8, Istiglal ~ 34, AGS ~ 45

September

On the borderline of Armenia:

Number of violations — 131

Shots ~ 1,904

AK ~ 1,124, PK ~ 478, SVD ~ 122, DSHK ~ 12, Black Arrow ~ 16, RPK ~ 149, ZU-23 ~ 3

On the borderline of Nagorno Karabakh:

Number of violations — 1,228

Shots ~ 5,009

AK ~ 3,297, PK ~ 898, SVD- 516, DSHK ~ 80, Black Arrow ~ 26, Istiglal ~ 33,
Utyos ~ 29, KPVT ~ 43, AGS ~ 30

October

On the borderline of Armenia:

Number of violations — 119

Shots ~ 1,269

AK ~ 551, PK ~ 410, SVD ~ 183, DSHK ~ 21, Black Arrow ~ 44, RPK ~ 60

On the borderline of Nagorno Karabakh:

Number of violations — 1,096

Shots ~ 3,498

AK ~ 2,225, PK ~ 594, SVD ~ 568, DSHK ~ 26, Black Arrow ~ 47, RPK ~ 2,
Istiglal ~ 19, Utyos ~ 17

November

On the borderline of Armenia:

Number of violations — 79

Shots ~ 916

AK ~ 551, PK ~ 296, SVD ~ 56, DSHK ~ 8, RPK ~ 5

On the borderline of Nagorno Karabakh:

Number of violations — 900

Shots ~ 3,824

AK ~ 2,652, PK ~ 580, SVD- 455, DSHK ~ 31, RPK ~ 5, Black Arrow ~ 15,
Istiglal ~ 2, RPG ~ 1, NSVP ~ 53

December

On the borderline of Armenia:

Number of violations — 83

Shots ~ 800

AK ~ 529, PK ~ 169, SVD- 76, DSHK ~ 24, Black Arrow ~ 2

On the borderline of the Nagorno Karabakh Republic:

Number of violations — 982

Shots ~ 4,255

AK ~ 3,263, PK ~ 601, SVD ~ 352, RPK ~ 29, Black Arrow ~ 3, Istiglal ~ 7

The total number of ceasefire violations by the armed forces of Azerbaijan on the borderline of the Republic of Armenia from 1 January to 31 December 2012 is:

Number of violations — 2,276

Shots ~ 48,269

The total number of ceasefire violations by the armed forces of Azerbaijan on the borderline of the Nagorno Karabakh Republic from 1 January to 31 December 2012 is:

Number of violations — 13,746

Shots ~ 68,633



General Assembly

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Sixty-seventh session

Agenda item 134

Scale of assessments for the apportionment of the expenses of the United Nations

Letter dated 15 January 2013 from the Secretary-General to the President of the General Assembly

1. At present, 22 Member States are in arrears under the terms of Article 19 of the Charter of the United Nations, which states:

A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The General Assembly may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

2. The minimum payments necessary to reduce the amounts owed by those Member States on their contributions so that they remain below the gross amount assessed for the preceding two full years (2011 and 2012) are as follows:

<i>Member State</i>	<i>Minimum payment (United States dollars)</i>
Cape Verde	28 955.00
Central African Republic ^a	168 551.00
Comoros ^a	835 938.00
Dominica	7 231.00
Dominican Republic	486 715.00
Equatorial Guinea	47 716.00
Fiji	5 410.00
Gabon	150 214.00
Grenada	40 100.00
Guinea-Bissau ^a	506 610.00
Kyrgyzstan	36 501.00
Marshall Islands	29 776.00



<i>Member State</i>	<i>Minimum payment (United States dollars)</i>
Saint Lucia	35 727.00
Sao Tome and Principe ^a	790 624.00
Seychelles	45 331.00
Sierra Leone	22 518.00
Somalia ^a	1 218 954.00
Sudan	347 879.00
The former Yugoslav Republic of Macedonia	18 624.00
Vanuatu	34 799.00
Venezuela (Bolivarian Republic of)	5 113 575.00
Zimbabwe	38 815.00

^a In its resolution 67/2 of 11 October 2012, the General Assembly decided that the Central African Republic, the Comoros, Guinea-Bissau, Sao Tome and Principe and Somalia would be permitted to vote in the Assembly until the end of its sixty-seventh session.

(Signed) BAN Ki-moon



General Assembly

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Sixty-seventh session

Agenda item 134

**Scale of assessments for the apportionment of the expenses
of the United Nations**

**Letter dated 18 January 2013 from the Secretary-General to the
President of the General Assembly**

Further to my letter dated 15 January 2013 (A/67/693), I have the honour to inform you that Fiji and the former Yugoslav Republic of Macedonia have made the payments necessary to reduce their arrears below the amount specified in Article 19 of the Charter of the United Nations.

(Signed) **BAN Ki-moon**





General Assembly

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Sixty-seventh session

Agenda item 134

**Scale of assessments for the apportionment of the expenses
of the United Nations**

**Letter dated 25 January 2013 from the Secretary-General to the
President of the General Assembly**

Further to my letters dated 15 and 18 January 2013 (A/67/693 and Add.1), I have the honour to inform you that Equatorial Guinea has made the payment necessary to reduce its arrears below the amount specified in Article 19 of the Charter of the United Nations.

(Signed) **BAN Ki-moon**





General Assembly

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Sixty-seventh session

Agenda item 134

**Scale of assessments for the apportionment of the expenses
of the United Nations**

**Letter dated 30 January 2013 from the Secretary-General to the
President of the General Assembly**

Further to my letters dated 15, 18 and 25 January 2013 (A/67/693 and Add.1 and 2), I have the honour to inform you that Kyrgyzstan has made the payment necessary to reduce its arrears below the amount specified in Article 19 of the Charter of the United Nations.

(Signed) **BAN Ki-moon**





**General Assembly
Security Council**

Distr.: General
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**General Assembly
Sixty-seventh session
Agenda item 36
The situation in the Middle East**

**Security Council
Sixty-eighth year**

**Letter dated 14 January 2013 from the Chargé d'affaires a.i. of the
Permanent Mission of Switzerland to the United Nations addressed
to the Secretary-General**

Please find attached herewith the text of a letter I sent today to the President of the Security Council for the month of January 2013 jointly with the Governments of Albania, Andorra, Australia, Austria, Belgium, Botswana, Bulgaria, Cape Verde, Chile, Cook Islands, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Libya, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Samoa, Seychelles, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Tunisia, United Kingdom of Great Britain and Northern Ireland and Uruguay (see annex).

The letter calls upon the Security Council to refer the situation in the Syrian Arab Republic as of March 2011 to the International Criminal Court.

Since we believe that this letter is of interest to all Member States of the United Nations, we would like to request its circulation as a document of the sixty-seventh session of the General Assembly, under agenda item 36, and of the Security Council.

(Signed) Thomas Gurber
Chargé d'affaires a.i.



**Annex to the letter dated 14 January 2013 from the Chargé
d'affaires a.i. of the Permanent Mission of Switzerland to the
United Nations addressed to the Secretary-General**

I am writing to you jointly with the Governments of Albania, Andorra, Australia, Austria, Belgium, Botswana, Bulgaria, Cape Verde, Chile, Cook Islands, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Libya, Liechtenstein, Lithuania, Luxembourg, Maldives, Malta, Marshall Islands, Monaco, Montenegro, Netherlands, New Zealand, Norway, Panama, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Samoa, Seychelles, Slovakia, Slovenia, Spain, the former Yugoslav Republic of Macedonia, Tunisia, United Kingdom of Great Britain and Northern Ireland and Uruguay.

Already in November 2011, the United Nations independent international commission of inquiry on the Syrian Arab Republic documented patterns of summary execution, arbitrary arrest, enforced disappearance, torture, including sexual violence, and violations of children's rights, and it expressed its grave concern that crimes against humanity had been committed since the beginning of the unrest in the country in March 2011. Since then, the situation on the ground has only become more desperate, with attacks on the civilian population and the commission of atrocities having almost become the norm.

Relevant decisions of the Human Rights Council, several appeals of the United Nations High Commissioner for Human Rights and the final communiqué of the Action Group for Syria, which met in Geneva on 30 June 2012, have all placed a strong emphasis on accountability and have made it abundantly clear that there should be no impunity for the most serious crimes under international law.

While acknowledging that accountability is primarily a national responsibility and that the role of international criminal justice is complementary, we note with regret that the Syrian Arab Republic has, so far, not reacted to repeated calls from the international community to ensure accountability through a national procedure which needs to be credible, fair and independent in order to bring all perpetrators of alleged serious crimes to justice. Without accountability, however, there will be no sustainable peace in Syria.

We are firmly of the view that the Security Council must ensure accountability for the crimes that seem to have been and continue to be committed in the Syrian Arab Republic and send a clear signal to the Syrian authorities. Given the competence of the Council under the Rome Statute of the International Criminal Court, and barring credible and timely measures to establish accountability within the Syrian Arab Republic itself, the most efficient way to ensure accountability in this serious situation would be a referral of the situation to the Court.

We therefore ask the Security Council to act by referring the situation in the Syrian Arab Republic as of March 2011 to the International Criminal Court without exceptions and irrespective of the alleged perpetrators. At the very least, the Council should send out an unequivocal message urging the Syrian authorities and all other parties to fully respect international human rights and humanitarian law in the ongoing conflict and announcing that it intends to refer the situation to the Court unless a credible, fair and independent accountability process is being established in

a timely manner. We believe that such a warning would have an important dissuasive effect.

In case of a referral, we further call upon the Council to fully commit the necessary resources and its diplomatic support to any subsequent efforts to investigate crimes and to facilitate the execution of potential arrest warrants.

(Signed) Thomas **Gürber**
Chargé d'affaires a.i.
Permanent Mission of Switzerland to the United Nations